

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	
	§	
BLACK ELK ENERGY OFFSHORE	§	CASE No. 15-34287
OPERATIONS, LLC	§	
	§	
DEBTOR.	§	CHAPTER 11
	§	
RICHARD SCHMIDT, LITIGATION TRUSTEE,	§	
	§	
PLAINTIFF,	§	
	§	
VS.	§	
	§	ADVERSARY No. 16-3237
PLATINUM PARTNERS VALUE ARBITRAGE	§	
FUND LP, PLATINUM PARTNERS CREDIT	§	
OPPORTUNITIES MASTER FUND LP, PLATINUM	§	
PARTNERS LIQUID OPPORTUNITIES MASTER	§	
FUND LP, AND PPVA BLACK ELK (EQUITY)	§	
LLC,	§	
	§	
DEFENDANTS.	§	
	§	

RICHARD SCHMIDT, LITIGATION TRUSTEE'S WITNESS AND EXHIBIT LIST

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION	
Main Case No: 15-34287	Name of Debtor: Platinum Partners Value Arbitrage Fund LP , Platinum Partners Credit Opportunities Master Fund LP, Platinum Partners Liquid Opportunities Master Fund LP , PPVA Black Elk (Equity) LLC
Adversary No: 16-03237	Style of Adversary: Schmidt v. Platinum Partners Value Arbitrage Fund LP et al

Witnesses: <ul style="list-style-type: none"> • Judge Richard Schmidt • Craig Smyser Adverse witnesses: <ul style="list-style-type: none"> • Bart Schwartz By deposition: <ul style="list-style-type: none"> • Joe Bruno • Arthur Garza • John Hoffman • David Levy • Mark Nordlicht • Samuel Salfati • Joseph SanFilippo • Bart Schwartz • Jeffrey Shulse • Zach Weiner • Harvey Werblowsky 	
	Judge: Judge Marvin Isgur
	Courtroom Deputy: Jesus Guajardo
	Hearing Date: January 26, 2017
	Hearing Time: 9:30 a.m.
	Party's Name: Richard Schmidt, Litigation Trustee
	Attorney's Name: Craig Smyser
	Attorney's Phone: 713-221-2330
	Nature of Proceeding: Preliminary Injunction hearing

EXHIBIT LIST

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
Exhibit numbers are not consecutive because we are keeping our trial exhibit numbering for trial					
1.	07/16/14 Offer to Purchase and Consent Solicitation Statement				
2.	06/26/14 Email from J. Hoffman to M. Piche, M. Maloney, J. Bradford, and G. Rachlin re Black Elk and Platinum				
3.	12/31/13 Black Elk Energy Offshore Operations, LLC Form 10-K				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
4.	06/01/16 J. Hoffman deposition testimony excerpts				
5.	07/22/14 Email from J. Shulse to D. Small re notes to david regarding equity deal [PPVA_0002600-2604; Confidential]				
6.	09/30/14 Black Elk Energy Offshore Operations, LLC Form 10-Q				
7.	07/10/14 Purchase and Sale Agreement by and between Black Elk Energy Offshore Operations, LLC as Seller and Renaissance Offshore, LLC as Purchaser				
8.	08/15/14 Closing statement [Shulse Ex. 12; redacted for filing]				
9.	12/31/14 Black Elk Energy Offshore Operations, LLC Class E Unit PIK Testing Summary [BDO-BE 000008-000011; Confidential]				
10.	06/05/15 Letter from R. Roth to S. McKessey re Form TCR1426092373408 [redacted for filing]				
11.	02/06/14 Email from M. Nordlicht to J. Hoffman, M. Piche re Atty client privilege				
12.	03/03/14 Email from M. Nordlicht to J. Shulse (cc: D. Small, M. Piche, J. Hoffman, D. Levy) re Confidential – Attorney Client privilege				
13.	03/03/14 Email from M. Nordlicht to D. Small (cc: J. Shulse, M. Piche, J. Hoffman, D. Levy) re Confidential – Attorney Client privilege				
14.	07/17/17 Email from J. Shulse to B. Boudreaux re Confirmation				
15.	08/08/14 Platinum Partners Value Arbitrage Fund L.P. Officer's Certificate				
16.	08/19/14 Black Elk Energy Offshore Operations, LLC and Black Elk Energy Finance Corp. as Issuers, Black Elk Energy Land Operations, LLC as Guarantor, Second Supplemental Indenture [PPVA_0005959-5990; Confidential]				
17.	09/29/16 <i>Bankers Conseco Life Insurance Company and Washington National Life Insurance Company v. Moshe M. Feuer, Scott Taylor and David Levy</i> , Complaint and Demand for Trial by Jury in the SDNY				
18.	07/13/14 Email from J. Hoffman to D. Levy (cc: M. Nordlicht)				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
19.	11/25/14 Email from D. Small to J. Shulse re Black Elk Modification Agreement				
20.	05/03/13 Securities Purchase and Put Agreement among New Mountain Finance Holdings, LLC, PPVA Black Elk (Equity) LLC, Platinum Partners Value Arbitrage Fund, L.P. and Chardan Capital Markets LLC [redacted for filing]				
21.	01/07/15 draft Note Purchase Agreement [PPVA_0010430-10468; Confidential]				
22.	11/25/14 Email from D. Small to J. Shulse (cc: D. Levy) re Modification Agreement Holder Information, attaches BEEEO Holders Holdings spreadsheet				
23.	02/20/14 Loan Purchase and Sale Agreement by and between White Elk LLC, as Administrative Agent and PPVA Black Elk (Equity) LLC and Resources Value Group LLC (each a Seller) and B Asset Manager LP				
24.	02/20/14 Omnibus Assignment and Assumption of Loans, Loan Documents and Related Liens and Security Interests and Appointment of Agent among White Elk, B Asset Manager LP and Black Elk Energy Offshore Operations, LLC				
25.	02/20/14 Note for \$16,593,445				
26.	02/20/14 Note for \$448,278				
27.	Bloomberg Company Overview of Platinum Management (NY) LLC				
28.	08/13/14 BNY Mellon Chart				
29.	04/13/16 Article, "The top-performing hedge fund manager that's too hot for big money to handle"				
30.	05/16/14 Email from D. Small to J. Shulse and D. Levy re Black Elk [redacted for filing]				
31.	07/09/14 Memo from J. Hoffman to Black Elk Energy Employees re Revocation of Delegation of Authority [Hoffman Depo. Ex. 4]				
32.	07/09/14 Email from M. Nordlicht to J. Hoffman [PPVA_0001941-1942; Confidential]				
33.	07/14/14 Email from J. Hoffman to M. Piche and J. Wisdom				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
34.	06/27/14 Email from J. Hoffman to M. Nordlicht				
35.	07/02/14 Email from A. Garza to M. Nordlicht and C. Cole (cc: J. Hoffman, J. Shulse, M. Patterson, L. Combs, K. Hubbard, J. Bruno, G. Tappin, M. Piche) re Lafitte Energy & Renaissance Divestment				
36.	07/16/14 Black Elk Energy Offshore Operations, LLC Form 8-K				
37.	08/12/14 Email from D. Small to D. Levy (cc: J. Shulse) re BP/BAM releases; attaches draft consent for Renaissance				
38.	08/13/14 Letter from D. Levy to BP Energy Company re Consent to sale by Borrower of certain oil and gas properties to Renaissance Offshore, LLC [PPVA_0003171-3172; Confidential]				
39.	08/14/14 Press Releases: Black Elk Energy Announces Expiration of Tender Offer to Purchase its 13.75% Senior Secured Notes Due 2015				
40.	08/15/14 Black Elk Energy Offshore Operations, LLC Form 8-K				
41.	08/29/14 Amegy Bank statement [redacted for filing]				
42.	08/18/14 Email from M. Nordlicht to D. Levy (cc: D. Small) re notes to david regarding equity deal [PPVA_0003242-3243; Confidential]				
43.	05/20/14 Email from M. Nordlicht to D. Small (c: D. Levy) re oil check [PPVA_0001170; Confidential]				
44.	05/24/16 J. Shulse Sworn statement excerpts				
45.	08/27/14 Email from J. Shulse to D. Small re Follow up to our meeting [PPVA_0003281-3282; Confidential]				
46.	09/30/15 Black Elk Energy Offshore Operations, LLC Statement of Financial Affairs				
47.	09/19/14 Black Elk Energy Offshore Operations, LLC Form 8-K/A				
48.	08/18/14 Email from J. Shulse to S. Itiowe re Wire is not approved				
49.	08/18/14 Email from J. Shulse to S. Itiowe re Wires				
50.	08/20/14 Email from K. Hubbard to J. Hoffman, M. Patterson re Series E as of August 18 [redacted for filing]				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
51.	07/21/14 Email from K. Somma and M. Maloney to J. Hoffman, S. Small, K. Hubbard (cc: M. Maloney, J. Bradford) re Black Elk Energy				
52.	08/19/14 Email from J. Shulse to S. Itiowe re Board approval to pay the Bond tender				
53.	06/01/15 Letter from C. Bruno to J. Latkin re Resignation				
54.	05/27/14 Letter from J. Hoffman to L. Dardis re Confidential offer to purchase Northstar GOM Assets [Hoffman Depo. Ex. 2]				
55.	06/25/14 Email from M. Piche to J. Hoffman re new entities				
56.	06/05/14 Email from D. Levy to J. Hoffman re potential financing				
57.	06/27/14 Email from D. Levy to J. Hoffman re withdrawal of Interest letters				
58.	06/27/14 Email from M. Nordlicht to J. Shulse (cc: D. Small, D. Levy, L. Sellers) re Renaissance update				
59.	01/09/15 Purchase and Sale Agreement by and between Black Elk Energy Offshore Operations, LLC and Northstar Offshore Group, LLC				
60.	12/19/14 Email from D. Small to K. Schott, B. Macmillan (cc: D. Levy, S. Salfati) re tax structure				
61.	01/28/15 Email from D. Small to D. Mandelbaum, N. Manela (cc: D. Levy, J. SanFilippo, J. Kramer-Eisenbud, T. Rogers, E. Bertram, Z. Weiner) re PPCO PPLO January statements [PPVA_0010620-10621; Confidential]				
62.	01/00/15 Exchange Agreement [PPVA_0009707-9716; Confidential]				
63.	03/31/15 Letter from J. Shulse to G. Roberts re Notice to remove signature of Jeffrey Shulse from all documents related to the Black Elk Energy Offshore Operations, LLC sale of assets to Northstar Offshore Group, LLC				
64.	05/05/15 Purchase and Sale Agreement by and between TKN Petroleum Holdings, LLC and TKN Petroleum Offshore, LLC signed by Z. Weiner and S. Salfati [TKN 0000444-531; Confidential]				
65.	09/16/13 Put Agreement between Platinum Partners Value Arbitrage Fund LP and Resource Value Group LLC signed by D. Small				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
66.	Capital One statements showing wire transfers [redacted for filing] [CONA 001199-1208; Confidential]				
67.	01/07/14 Email from M. Nordlicht to J. Hoffman (cc: D. Small and D. Levy)				
68.	01/01/11 Platinum Partners Value Arbitrage Schedule 13D				
69.	05/18/11 Form 4				
70.	Presentation: Platinum Partners Value Arbitrage Fund LP E&P Ventures [Confidential]				
71.	02/04/14 Email from M. Nordlicht to J. Hoffman, J. Shulse, D. Small, D. Levy and D. Ottensoser re strategy going forward				
72.	06/07/16 <i>United States of America v. Norman Seabrook and Murray Huberfeld</i> Complaint				
73.	2016 <i>United States of America v. Norman Seabrook and Murray Huberfeld</i> Indictment				
74.	09/17/16 Wall Street Journal article, "Advisor with Ties to Hedge Fund Platinum put Client Funds in it"				
75.	07/14/14 Unanimous Written Consent of the Managers of Black Elk Energy Offshore Operations, LLC signed by D. Small				
76.	08/29/14 Amegy Bank statement showing wires out [redacted for filing]				
77.	06/03/14 Email from D. Ottensoser to M. Piche (cc: D. Levy) re Black Elk transfer				
78.	08/05/14 Email from D. Small to J. Shulse (cc: J. SanFilippo, D. Levy, D. Ottensoser) re PIK				
79.	07/15/14 Fourth Amendment to the Securities Purchase and Put Agreement				
80.	10/13/14 Email from J. Shulse to D. Small re Did he just put that in writing?				
81.	02/06/15 Black Elk Energy Offshore Operations, LLC Board of Directors Meeting				
82.	06/30/14 Email from J. Boylan to J. Shulse (cc: E. Feighl) re Black Elk				
83.	07/09/14 Email from J. Boylan to J. Shulse (cc: E. Feighl) re Black Elk				
84.	08/07/14 Email from J. Boylan to J. Shulse (cc: E. Feighl) re Black Elk future operations				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
85.	02/10/15 Email from S. Fuerst to D. Small (cc: J. Shulse, S. Salfati, D. Levy) re Board meeting				
86.	03/12/15 Email from J. Boylan to J. Shulse (cc: J. Boylan) re EJC Ventures Consulting Agreement Invoice [redacted for filing]				
87.	05/23/14 Second Amendment to the Securities Purchase and Put Agreement				
88.	12/31/14 Purchase and Sale Agreement by and between Black Elk Energy Offshore Operations, LLC and TKN Petroleum Holdings, LLC and Medius Energy, LLC [Bruno Depo. Ex. 10]				
89.	07/21/15 Email from Z. Weiner to J. Latkin (cc: D. Levy) re BDO's request for breakdown of Renaissance transaction				
90.	11/23/10 Indenture				
91.	05/31/11 First Supplemental Indenture				
92.	11/23/10 Security Agreement made by Black Elk Offshore Operations, LLC, Black Elk Energy Finance Corp., Black Elk Energy Land Operations, LLC and The Other Grantors Party Thereto [redacted for filing]				
93.	04/09/13 Fifth Amendment to Second Amended and Restated Operating Agreement of Black Elk Energy Offshore Operations, LLC				
94.	02/12/13 Black Elk Energy Offshore Operations, LLC Form 8-K				
95.	02/14/13 Black Elk Energy Offshore Operations, LLC Form 8-K				
96.	01/25/13 Third Amendment to Second Amended and restated Operating Agreement of Black Elk Energy Offshore Operations, LLC				
97.	05/03/13 Sixth Amendment to Second Amended and Restated Operating Agreement of Black Elk Offshore Operations, LLC				
98.	07/13/09 Second Amended and Restated Limited Liability Company Operating Agreement of Black Elk Energy Offshore Operations, LLC [redacted for filing]				
99.	09/15/14 Black Elk Energy Offshore Operations, LLC Form 8-K				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
100.	07/03/14 Email from G. Tappin to J. Shulse re Outstanding invoices, need help				
101.	07/16/14 Email from J. Shulse to D. Small, D. Levy re Asset sale and debt transfer				
102.	10/21/15 Bloomberg, Faux article, "No Blow up is big Enough to Tarnish Platinum Partners' Returns"				
103.	10/19/16 Wall Street Journal, Copeland and Rizzo article, "Platinum Partners' Flagship Hedge Fund files for Bankruptcy"				
104.	06/08/16 Department of Justice Release: "Norman Seabrook, President of Correction Officers' Benevolent Association, arrested for demanding and accepting bribes in exchange for investing Union money in New York-based Hedge Fund" and "Murray Huberfeld, founder of Manhattan-Based Hedge Fund, also charged for paying off Seabrook to Invest in Fund"				
105.	06/08/16 Reuters, Deleving article, "Platinum Partners raided by Federal agents amid dual investigations"				
106.	07/25/16 Wall Street Journal, Copeland article, "Fraud Probe Richochets through Platinum Partners, a Hedge Fund with Ties to Jewish Community"				
107.	07/20/16 Reuters, Deleving article, "Platinum Partners to liquidate two main funds amid Government probes"				
108.	06/15/16 <i>New Mountain Finance Corporation v. Platinum Partners Value Arbitrage Fund, L.P.</i> hearing excerpt				
109.	06/14/16 Wall Street Journal, Copeland and O'Brien article, "Platinum Partners Plans to Unwind Main Hedge Fund Amid Kickback probe"				
110.	07/22/16 Parris Investments Limited Petition in the Matter of the Platinum Partners Value Arbitrage Fund (International) Ltd. in the Grand Court of the Cayman Islands, No. 16-12925, Document 2-1				
111.	08/23/16 Winding Up Petition in the Matter of the Platinum Partners Value Arbitrage Fund (International) Ltd. in the Grand Court of the Cayman Islands, No. 16-12925, Document 2-1				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
112.	08/23/16 Winding Up Order in the Matter of the Platinum Partners Value Arbitrage Fund (International) Ltd. in the Grand Court of the Cayman Islands, No. 16-12925, Document 2-1				
113.	08/29/16 Order in the Matter of the Platinum Partners Value Arbitrage Fund (International) Ltd. in the Grand Court of the Cayman Islands, No. 16-12925, Document 2-1				
114.	10/18/16 Chapter 15 Petition for Recognition of a Foreign Processing, with attached United States Bankruptcy Court for the Southern District of New York Verified Petition filing				
115.	08/11/16 Bloomberg, Faux article, "Platinum's California Oil Fields said to be subject of Probe"				
116.	10/07/16 Wall Street Journal, Copeland article, "Hedge Fund Platinum Partners to Pay Back Fraction of what Firm Owes"				
117.	08/24/16 Reuters, Delevinge article, "Appointment of Cayman Liquidator adds pressure on Platinum Partners"				
118.	11/25/14 Modification Agreement [Shulse Depo. Ex. 14]				
119.	Business Organization Code, Section 101.206				
127.	3/04/14 Email from M. Nordlicht to J. Shulse (cc: J. Hoffman, D. Small, D. Levy) re transaction				
128.	3/11/14 Email from J. Shulse to D. Small (cc: M. Nordlicht, D. Levy, J. Hoffman, K. Lau) re call tomorrow morning				
129.	3/11/14 Email from J. Shulse to M. Nordlicht (cc: D. Small, D. Levy, J. Hoffman) re call tomorrow morning				
130.	3/13/14 Email from M. Nordlicht to J. Shulse and D. Small (cc: D. Levy and J. Hoffman) re Solving the Trustee issue				
138.	3/11/14 Email from J. Hoffman to M. Nordlicht, J. Shulse, S. Small and D. Levy re no problem renaming the company				
150.	5/29/14 Email from M. Nordlicht to D. Small, J. Hoffman, D. Levy and J. Shulse (S. Salfati) re update				
159.	7/14/14 Email from D. Small to R. Shearer and B. Sakowitz (cc: J. Hoffman, M. Piche, J. Shulse) re Black Elk - revised consent form				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
166.	3/11/14 Email from M. Nordlicht to J. Shulse, J. Hoffman, D. Small, D. Levy re friendlies buy bonds as of tomorrow				
167.	3/12/14 Email from H. Tate to J. Shulse re update				
172.	6/05/14 Email from M. Tran to S. Salfati (cc: J. Hoffman and J. Shulse) re post Renaissance debt equity analysis				
173.	8/14/14 Email from D. Small to L. Sellers (cc: D. Levy, J. Shulse, M. Nordlicht, M. Maloney, J. Bradford, S. Salfati) re Renaissance closing - Board of Managers Certificate				
174.	8/20/14 Email from S. Salfati to J. Shulse and D. Small (cc: J. Hoffman) re signed unanimous consent of BEEFC Officer Appointment				
176.	8/21/14 Email from S. Salfati to J. Shulse (cc: D. Small) re Signed written consent of BEEOO supplemental indenture and purchase of notes				
177.	8/21/14 Email from D. Small to S. Fuerst and J. Shulse re written consent of BEEOO (Supplemental Indenture and Purchase of Notes)				
181.	8/18/14 Email from J. Shulse to M. Nordlicht, D. Small, D. Levy and S. Salfati re statute section 101.206 prohibited distributions to members				
182.	8/18/14 Email from J. Shulse to R. Shearer re new manager				
189.	4/03/15 Memo from S. Fuerst to full Board of Black Elk Energy Offshore Operations, LLC, D. Small, S. Salfati and S. Silver re Opinion letter to the Trustee regarding the Proposed Northstar Offshore				
196.	Draft email attaching various emails, some contain handwritten notes				
198.	05/14/16 Shulse Calendar invite re Wire Transfer plan meeting to D. Small, D. Levy, S. Salfati, S. Itiowe, D. Fuerst, M. Nordlicht				
200.	02/06/14 Email from M. Nordlicht to J. Shulse (cc: M. Piche, D. Small, D. Levy, J. Hoffman, J. Matthews) re Response - Black Elk Demand letter				
204.	03/07/14 Email from M. Nordlicht to J. Shulse, D. Levy, J. Hoffman (cc: D. Small, M. Piche) re Black Elk - Notice of Default				
205.	03/09/14 Email from M. Nordlicht to M. Piche, J. Shulse (cc: D. Small, D. Levy and J. Hoffman) re current position				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
206.	03/09/14 Email from M. Nordlicht to J. Shulse re key number is friendlies getting to 50				
207.	03/09/14 Email from J. Shulse to M. Nordlicht re Fieldwood				
208.	03/09/14 Email from J. Shulse to D. Levy re follow up to last night				
209.	03/11/14 Email from M. Nordlicht to J. Shulse, D. Small, D. Levy and J. Hoffman re call tomorrow morning				
218.	07/06/14 Email from J. Shulse to J. Hoffman (cc: M. Nordlicht, D. Small and D. Levy) re so many deals going on				
224.	07/29/14 Email from J. Hoffman to M. Nordlicht re vendor issues				
225.	07/29/14 Email from K. Hubbard to D. Small, D. Levy, S. Salfati, J. Hoffman, L. Combs, A. Garza, J. Bruno, G. Tappin, M. Patterson, M. Nordlicht, J. Shulse re vendor issues				
230.	08/18/14 Email from M. Nordlicht to J. Shulse (cc: D. Small, S. Salfati, D. Levy) re Wire is NOT approved				
235.	09/21/14 Email from D. Small to J. Shulse (cc: M. Nordlicht, D. Levy, S. Salfati, D. Steinberg) re Agenda for meeting in Houston				
240.	10/23/14 Email from D. Levy to J. Shulse (cc: D. Small) re Legal invoices				
245.	01/28/15 Email from S. Salfati to J. Shulse and D. Small re Northstar Medius Board resolutions				
247.	01/29/15 Email from J. Shulse to Z. Weiner and S. Salfati re Beechwood releases				
253.	02/10/15 Email from J. Shulse to E. Clark, R. Martinez, J. Matthews, A. Burgess (cc: R. Shearer, S. Fuerst, M. Peetz) re Black Elk Medius transaction				
254.	02/13/15 Email from H. McVay to S. Itiowe (cc: J. Shulse) re Shulse bonus retention payment				
255.	02/13/15 Email from J. Shulse to H. McVay re Shulse Bonus retention payment				
263.	05/11/15 Email from S. Fuerst to J. Latkin (cc: Z. Weiner, S. Salfati) re TKN documents				
268.	3/05/14 Email from M. Nordlicht to J. Shulse (cc: D. Small, D. Levy, J. Hoffman, M. Piche) re friendly holders				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
269.	3/07/14 Email from J. Shulse to M. Nordlicht, D. Small, D. Levy, J. Hoffman (cc: M. Piche) re Asset sale disclosure material				
276.	3/08/14 Email from J. Shulse to M. Nordlicht, D. Small, D. Levy, J. Hoffman (cc: M. Piche) re agree to bondholders' proposed disclosure requirements or default notice stands				
277.	01/23/14 Email from M. Nordlicht to J. Hoffman and J. Shulse (cc: D. Small, D. Levy) re three scenarios				
278.	3/08/14 Email from J. Shulse to M. Nordlicht re playing with fire				
279.	3/12/14 Email from A. Garza to J. Hoffman and M. Nordlicht (cc: D. Small, D. Levy, J. Shulse and J. Matthews) re plan with Vistar				
291.	5/14/14 Email from D. Small to J. Hoffman (cc: M. Nordlicht, D. Levy, S. Salfati and J. Shulse) re production				
294.	5/14/14 Email from J. Hoffman to D. Small (cc: M. Nordlicht, D. Levy, S. Salfati, J. Shulse) re accuracy of production numbers				
300.	02/04/14 Email from J. Shulse to J. Hoffman, M. Nordlicht, D. Levy and D. Small re thoughts for Bond Holder call				
308.	6/02/14 Email from J. Hoffman to M. Nordlicht, S. Salfati, D. Small and D. Levy re Northstar acquisition reserves and cash flows				
309.	6/02/14 Email from S. Salfati to J. Shulse (cc: M. Nordlicht, D. Saks, D. Small, and D. Levy) re BEE post sale data				
320.	6/20/14 Email from M. Nordlicht to J. Hoffman (cc: D. Levy, D. Small, S. Salfati) re NOG Excalibur summary updated				
321.	7/29/14 Email from K. Hubbard to D. Small, D. Levy, S. Salfati, J. Hoffman, L. Combs, A. Garza, J. Bruno, G. Tappin and M. Patterson re vendor issues				
322.	8/08/14 Email from K. Hubbard to S. Itiowe, S. Fuerst, J. Shulse, J. Hoffman, D. Small, S. Salfati re AP wire payments today				
329.	8/14/14 Email from M. Maloney to L. Sellers, J. Shulse, D. Small, J. Hoffman, S. Salfati (cc: J. Bradford, S. Fuerst) re ROS markup of Seller Authorization				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
336.	8/18/14 Email from D. Small to J Shulse re: Wire (cc: S. Salfati)				
337.	8/18/14 Calendar Invite by J. Shulse re: Wire Transfer plan (attendees: D. Small, D. Levy, S. Salfati, S. Itiowe, S. Fuerst, M. Nordlicht)				
339.	8/19/14 Email from J. Shulse to D. Small and S. Salfati re written consent of BEEOO (Supplemental Indenture and Purchase of Notes)				
349.	03/03/14 Email from M. Nordlicht to D. Small (cc: J. Shulse, M. Piche, J. Hoffman and D. Levy) re friendly buying 20 million				
351.	8/21/14 Email from E. Helfgott to R. Shearer, J. Shulse re: BEEOO Member Meeting (cc: S. Salfati, D. Small)				
355.	9/04/14 Email from M. Nordlicht to D. Small (cc: J. Shulse, D. Levy and S. Salfati) re breakdown of the cash from bonds				
358.	9/04/14 Email from J. Shulse to M. Nordlicht, D. Small (cc: D. Levy, S. Salfati) re: Renaissance Sold Properties - Bonding and Escrow Schedule				
359.	6/18/15 Email from J. Latkin to H. Werblowsky (cc: M. Nordlicht, D. Levy) Fwd: Black Elk legal discussion				
361.	6/03/14 Email from M. Nordlicht to J. Shulse (cc: D. Small, D. Levy) re: Revised Second Supplemental Indenture				
362.	6/03/14 Email from M. Nordlicht to J. Shulse (cc: D. Small, D. Levy) re: Revised Second Supplemental Indenture				
363.	6/03/14 Email from M. Nordlicht to J. Shulse (cc: D. Small, D. Levy, D. Ottensoser) re: Revised Second Supplemental Indenture				
364.	6/03/14 Email from J. Shulse to M. Nordlicht (cc: D. Small, D. Levy) re: Revised Second Supplemental Indenture				
365.	7/03/14 Email from B. Sakowitz to D. Small (cc: R. Shearer, J. Shulse) re: Supplemental Indenture / Consent Solicitation				
366.	7/15/14 Email from J. Shulse to M. Piche, J. Hoffman FW: Unanimous Written Consents of BEEOO, BEEFC and BEELO				
367.	2/02/15 Email from R. Shearer to J. Shulse, S. Fuerst re: Black Elk/Northstar Transaction				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
369.	2/19/15 Email from S. Fuerst to J. Shulse re: Attorney client privilege				
370.	2/19/15 Email from D. Levy to S. Fuerst (cc: J. Shulse, D. Small, M. Nordlicht) re: Attorney Client Privilege				
371.	2/25/15 Email from J. Shulse to D. Small (cc: S. Fuerst) re: Attorney Client Privilege				
373.	4/07/15 Email from S. Fuerst to J. Shulse re Jeff letter to withdraw signature				
375.	04/08/15 Email from FWSHOUcopier@blackelkenenergy.com to J. Shulse re attaching Enven Original Petition				
388.	Mark Nordlicht LinkedIn profile				
389.	Shmuel Salviati (Samuel Salfati) LinkedIn profile				
390.	David Levy LinkedIn profile				
393.	03/03/14 Email from J. Shulse to M. Nordlicht (cc: D. Small, M. Piche, J. Hoffman, D. Levy) re: Confidential - Attorney Client Privilege				
406.	05/31/14 Email from J. Shulse to D. Small, D. Levy Fwd: Second Amendment will drop the S-1 requirement				
409.	06/02/14 Email from M. Nordlicht to J. Shulse (cc: D. Small, D. Levy) re: Revised Second Supplemental Indenture				
410.	06/03/14 Email from J. Shulse to M. Nordlicht (cc: D. Small, D. Levy) re: Revised Second Supplemental Indenture				
412.	06/03/14 Email from J. Shulse to M. Nordlicht (cc: D. Small, D. Levy) re: Revised Second Supplemental Indenture				
413.	06/03/14 Email from J. Shulse to M. Nordlicht (cc: D. Small, D. Levy) re: Revised Second Supplemental Indenture				
417.	06/03/14 Email from M. Nordlicht to J. Shulse (cc: D. Small, D. Levy) re: Revised Second Supplemental Indenture				
418.	03/08/14 Email from J. Shulse to M. Nordlicht, D. Levy, D. Small, J. Hoffman (cc: M. Piche) re: Attorney Client Privilege				
422.	06/04/14 Email from J. Shulse to R. Shearer, M. Piche (cc: B. Sakowitz) re: Draft of Consent Solicitation Statement				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
436.	07/07/14 Email from J. Shulse to D. Small re: Black Elk - Offer to Purchase and Consent Solicitation Statement				
464.	07/16/14 Email from J. Shulse to M. Nordlicht, D. Small, D. Levy FW: Final Consent Form and Offer to Purchase and Consent Solicitation Statement				
473.	08/14/14 Email from D. Small to R. Shearer (cc: J. Shulse) re Officer's Certificate				
474.	10/01/14 Email from D. Small to J. Shulse (cc: M. Nordlicht, D. Levy) re: Good News / Bad News on Bonds				
480.	01/31/14 Email from J. Shulse to D. Levy, D. Small, M. Nordlicht re: 20 day Cash projections				
482.	09/18/14 Deposition of Arthur Garza in <i>Vistar Oil Texas LLC v Black Elk Energy Offshore Operations, LLC</i>				
485.	06/01/16 Examination of John Hoffman				
492.	06/27/14 Exhibit 7 to 06/01/16 Examination of John Hoffman (Email M. Nordlicht to J. Hoffman re: RE; cc: D. Levy, D. Small, J. Shulse) [PPVA_0001403-04; Confidential]				
498.	08/11/14 Deposition of J. Shulse in <i>Vistar Oil Texas LLC v Black Elk Energy Offshore Operations, LLC</i>				
499.	05/24/16 Deposition of Jeffrey Shulse				
504.	01/23/14 Exhibit 5 to 05/24/16 Deposition of Jeffrey Shulse (Email from J. Hoffman to M. Nordlicht, J. Shulse RE: ; cc: D. Small, D. Levy)				
505.	03/07/14 Exhibit 6 to 05/24/16 Deposition of Jeffrey Shulse (Email from M. Nordlicht to J. Shulse re: atty client privilege; cc: D. Ottensoser)				
507.	05/20/14 Exhibit 8 to 05/24/16 Deposition of Jeffrey Shulse (Email from J. Shulse to M. Nordlicht, D. Small, D. Levy re: atty client privilege; cc: J. Hoffman, M. Piche)				
510.	07/21/14 Exhibit 11 to 05/24/16 Deposition of Jeffrey Shulse (Email from K. Somma to M. Piche, J. Shulse re: Black Elk Energy; CC: M. Maloney, J. Bradford)				
515.	08/20/14 Exhibit 16 to 05/24/16 Deposition of Jeffrey Shulse (Email from J. Shulse to J. Shulse FW: Series E as of August 18)				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
518.	03/31/15 Exhibit 19 to 05/24/16 Deposition of Jeffrey Shulse (Letter from J. Shulse to S. Glynn Roberts / Northstar re: Notice to remove the signature of Jeffrey Shulse from all documents related to BEEOO sale of assets to Northstar)				
524.	Exhibit 25 to 05/24/16 Deposition of Jeffrey Shulse (Business Account Application for TKN Petroleum Holdings)				
526.	10/12/15 Deposition of Zach Weiner				
534.	05/03/15 Exhibit 8 to 10/12/15 Deposition of Zach Weiner (Email from M. Nordlicht to D. Levy) [TKN 0000030; Confidential]				
538.	05/10/15 Exhibit 12 to 10/12/15 Deposition of Zach Weiner (Email from M. Nordlicht to D. Levy re: RE:) [TKN 0002255; Confidential]				
547.	05/06/15 Exhibit 21 to 10/12/15 Deposition of Zach Weiner (Email from J. Betz to D. Levy re: Texas Capital Bank) [TKN 0004895; Confidential]				
548.	06/09/14 Email from A. Northwood to D. Levy re: Houston to-do [PPVA_0001212-16]				
553.	01/27/15 Email from Z. Weiner to cthomas@beechwood.com re: BEE/NSTAR Transfer (cc: D. Small, D. Levy) [PPVA_0010378-468]				
556.	02/19/14 Email from E. Helfgott to D. Levy and D. Ottensoser re: Purchase of Black Elk Notes (cc: E. Stern, Jeff Shulse, S. Adler, Marc Press)				
559.	02/27/14 Email from J. Shulse to M. Nordlicht re: Comparison Analysis - Fieldwood Transaction v. Renaissance (SS198 only) Transaction (cc: David Small, David Levy)				
560.	03/03/14 Email from D. Levy to J. Shulse re: Beechwood interest payment				
561.	03/03/14 Email from David Levy to Jeff Shulse re: beechwood invoices				
562.	03/03/14 Email from D. Levy to J. Shulse re discussing beechwood invoices				
563.	03/03/14 Email from J. Shulse to D. Levy RE: discussing beechwood interest payment				
564.	03/24/14 Email from David Levy to Jeff Shulse re: Platinum tax call with KPMG				
565.	05/20/14 Email from M. Nordlicht to J. Hoffman re: W&T Bid (cc: D. Small)				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
577.	06/30/14 Email from J. Shulse to D. Levy FW: Finalizing equity deal				
594.	11/04/14 Email from D. Levy to N. Manela re: Understanding Northstar (cc: S. Salfati, E. Rakower, D. Small, D. Saks, J. SanFilippo) [PPVA_0004391-400; Confidential]				
597.	01/02/15 Email from David Levy to Daniel Small Fwd: Northstar preferred assumed by 70 million in black ‘ [PPVA_0008536; Confidential]				
600.	03/02/15 Email from M. Weng to Jeff Shulse re: Black Elk / TKN Transaction opinion				
610.	02/00/15 Unanimous Written Consent of the Managers of Black Elk Energy Offshore Operations, LLC				
619.	02/05/14 Email from M. Nordlicht to J. Shulse, J. Hoffman, D. Small and D. Levy re conference with per petro				
621.	02/02/14 Email from J. Shulse to M. Nordlicht (cc: D. Levy, D. Small) re We should have an update call				
633.	06/22/14 Email from J. Shulse to D. Small (cc: M. Nordlicht, D. Levy, J. Hoffman) re BEE sale to ROS - PSA draft dated 6-18-14				
656.	08/26/15 Email from S. Silver to S. Fuerst, J. Latkin, S. Salfati re director fees				
657.	10/26/16 Original Complaint, <i>Schmidt v. Platinum Partners Value Arbitrage Fund LP, et al</i>				
658.	11/03/16 Original Petition and Request for Disclosure, <i>Schmidt v. Mark Nordlicht, et al</i>				
659.	Platinum Partners Organizational charts				
661.	08/29/14 Capital One Account Summary for Platinum Partners [PPCO & PPLO 000375-380; Highly Confidential – Attorney’s Eyes Only]				
667.	03/31/16 Valuation of Equity Investment in ALS Capital Ventures				
668.	03/31/16 Valuation of Katrina Barge Litigation Joint Venture LLC Investment				
671.	02/27/14 Term Loan and Security Agreement between Credit Strategies LLC, ALS Capital Ventures LLC, The Lenders and BAM Administrative Services LLC				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
672.	09/26/16 Promissory Note for \$5,000,000				
673.	08/31/15 Credit Agreement by and between Platinum Partners Credit Opportunities Master Fund, LP and Heartland Bank				
674.	10/03/16 Notice of Policy Lapse to BAM				
680.	03/31/16 Valuation of Equity Instruments of Urogen Pharmaceuticals, Inc.				
681.	06/29/15 Urogen Pharmaceuticals, Inc. Senior Secured Convertible Promissory Note				
682.	07/18/16 Letter from B. Schwartz to M. Nordlicht re Guidepost engagement				
683.	10/30/16 Email from J. SanFilippo to S. Horowitz and D. Steinberg re Daybreak transaction proceeds				
684.	12/01/14 Email from S. Fuerst to D. Small, D. Levy (cc: J. Shulse) re: Purchase Agreement				
686.	08/29/14 Sterling National Bank checking account statement (account ending 0543) [PPCO & PPLO 000562-566; Highly Confidential – Attorney’s Eyes Only]				
688.	12/01/16 Email from C. Lindstrom to C. Smyser, M. Okin, J. Waggoner, J. Potts (cc: M. Dortch) re cash disbursement projection spreadsheet				
690.	06/19/14 Organizational Consent in Lieu of a Meeting of the Board of Directors of LaFitte Energy Corp.				
691.	07/30/14 Email from N. Marzella to J. SanFilippo FW: Election/Vol/Tender - Consent/BLACK ELK ENERGY OFFSHOR BLELK [PPVA_0002683-89, Confidential]				
692.	11/04/14 Email thread from J. SanFilippo to E. Rakower re sold the Black Elk package [PPVA_0004382-83, Confidential]				
694.	01/29/15 Email from D. Small to B. Macmillan (cc: K. Schott, D. Levy, Z. Weiner, S. Salfati) re: NOG Exchange Agreements [PPVA_0010870-950, Confidential]				
697.	07/19/14 Email from Prime Services Online Corporate Actions to J. SanFilippo re: New/Vol/Tender - Consent/BLACK ELK ENERGY OFFSHOR BLELK [PPVA_0002510-12]				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
698.	07/23/14 Email from Prime Services Online Corporate Actions to J. SanFilippo re: Election/Vol/Tender - Consent/BLACK ELK ENERGY OFFSHOR BLELK [PPVA_0002623-25]				
699.	08/06/14 Email from Prime Services Online Corporate Actions to J. SanFilippo re: Election/Vol/Tender - Consent/BLACK ELK ENERGY OFFSHOR BLELK [PPVA_0002870-72]				
700.	08/06/14 Email from A. Alonso to N. Marzella re: Election/Vol/Tender - Consent/BLACK ELK ENERGY OFFSHOR BLELK [PPVA_0002888-91, Confidential]				
701.	01/29/15 Email from J. SanFilippo to Z. Weiner (cc: N. Manela, D. Levy, D. Mandelbaum) re: PPLO black elk agreement [PPVA_0010836, Confidential]				
704.	02/23/16 Examination Under Oath of Joe Bruno				
711.	11/29/16 Deposition of David Levy				
712.	11/29/16 Deposition of Samuel Salfati				
729.	11/30/16 Deposition of Mark Nordlicht				
793.	11/28/16 Deposition of Jeffrey Shulse				
794.	12/07/16 Deposition of Harvey Werblowsky				
807.	12/05/16 Third Amended Notice of Deposition of PPCO/PPLC Corporate Representative				
808.	01/19/16 Settlement of West Ventures LCC and Reginaldo Luiz Ferreire De Almeida				
809.	04/20/16 Brasil pleading				
810.	06/16/16 Presentation: Platinum Partners Abdala Tailings Project: Pre-Operation Capital Cost and Project Schedule Review				
811.	01/06/16 Memo from JDS Energy & Mining Inc. to Ari Hirt (cc: E. Bertram, S. Salfati, M. Nordlicht and Z. Weiner) re Abdala Tailings study report for Platinum Partners				
812.	03/08/16 Intrumento Particular De Primeira Alteracao Do Contrato Social de Sul Real XXXII Participacoes Ltda.				
830.	12/06/16 Deposition transcript of Joseph SanFilippo				
1063.	02/27/15 Loan and Security Agreement between Acceleration Bay Inc. and Hamilton Capital XII LLC				

Ex. #	DESCRIPTION	OFFER	OBJECT	ADMITTED/ NOT ADMITTED	DISPOSITION
1064.	06/03/16, <i>Acceleration Bay v. Activision Blizzard, Inc.</i> , 2016 WL 3186890 (Civil Action Nos. 15-228-RGA, 15-282-RGA, 15-311-RGA)				
1065.	01/09/17 Declaration of Receiver Bart M. Schwartz in Support of Joint Motion of Securities and Exchange Commission and Receiver for Modification of the Platinum TRO and Receiver Order and for Emergency Relief				
1066.	12/14/16 Agreed Order				
1067.	01/11/17 Defendants Platinum Partners Liquid Opportunities Master Fund, LP and Platinum Partners Credit Opportunities Master Fund, LP's Answer to Plaintiff's Original Complaint				
1068.	01/20/17 Deposition of Bart M. Schwartz [Attorney's Eyes Only]				
1069.	11/18/16 Letter from C. Smyser to J. Velona (SEC) re enclosing Original Complaint and exhibits filed				
1070.	11/22/16 Letter from C. Smyser to J. Velona (SEC) re enclosing depositions and exhibits taken in the Bankruptcy proceedings				
1071.	12/19/16 Email from C. Smyser to K. Byrne (cc: J. Velona) re waiver of attorney-client privilege with respect to communication and other documents to or from Baker Hostetler LLP				
1072.	12/28/16 Email from C. Lindstrom to C. Smyser (cc: A. Levine and C. Barenholtz re updated December 2016 expenses				
1073.	01/16/17 Email from C. Lindstrom to M. Okin, J. Waggoner, J. Potts, C. Smyser (cc: M. Dortch, C. Barenholtz, and A. Levine) re four elements in order to obtain a preliminary injunction				
1074.	12/19/16 <i>SEC v. Platinum Management (NY) LLC, et al.</i> , Plaintiff's Memorandum of Law in Support of its Emergency Application for an Order to show cause, Temporary Restraining Order, Preliminary Injunction, Appointment of a Receiver, and Other Relief				

Richard Schmidt, the Trustee of the Black Elk Litigation Trust, reserves the right to amend the Witness List and Exhibit List. The Trustee also reserves the right to use any exhibit listed on any other party's exhibit list or to object to same.

Respectfully submitted,

By: /s/ Craig Smyser

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